

UNITED STATES DISTRICT COURT  
DISTRICT OF BOSTON

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

Michael Cook,

Plaintiff

vs.

Docket #

Sheriff Bowler

Corrections Officer Albano

(In both official & individual  
capacity)  
Defendant

This action is being filed under U.S.C.  
42 § 1983.

CIVIL COMPLAINT

- 1) The plaintiff is an inmate at the Berkshire County Jail, 467 Cheshire Road, Pittsfield, MA
- 2) The defendant is employed as a Corrections officer at the Berkshire County Jail, 467 Cheshire Road, Pittsfield, MA 01201
- 4) The plaintiff has not filed any other actions involving [this] matter nor any other in either state or Federal court.
- 5) The plaintiff has exhausted his administrative remedies by filing Grievances to exhaustion. However, the Court should note, [this] action involves an assault upon my person by the defendant and therefore jail officials cannot redress this complaint.

COOK vs Albano

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## Statement of Claim

- 6) On July 23, 2020, I was playing cards in C-pod at the back table across from the shower stalls.
- 7) I got into an altercation with another inmate.
- 8) I blacked out at some point.
- 9) Later on, Numerous inmates told me that C.O. Albano charged at me, never issuing any orders to "freeze" and attacked me. He repeatedly slammed my head against the floor.
- 10) When I awoke ~~in a daze~~ I was sore all over and my back and left eye was injured. I also got head injuries.
- 11) Jail officials refused to take me to the hospital.
- 12) I have serious spells of dizziness and headaches.
- 13) It should be noted that C.O. Albano is notorious for his mistreatment and assaultive behaviour against inmates.
- 14) I assert that Sheriff Bowler knew of Albano's previous records of assaults and complaints yet did nothing to prevent him

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from violating the rights of myself and others.

15) A Discovery Motion will show that C.O. Albaro has been disciplined and reprimanded many times yet he's still here - Ready to assault and attack someone else.

16) I also requested Jail officials to preserve the video footage of the incident and was told my lawyer must file a subpoena.

17) I ask (this) Court to issue an Order to the Defendant to preserve the video. C-POD has several cameras.

### REDRESS

18) I Demand a TRIAL By Jury

19) I seek 50,000 in both Punitive and Compensatory damages

Respectfully, Submitted,



Michael Cook, Pro Se litigant

Dated: 10-12-2020